



PUBLIC NOTICE

Federal Communications Commission
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DA 14-1594

Released: November 3, 2014

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
SYNERGY TECHNOLOGY PARTNERS, INC. FROM
BEN LOMAND RURAL TELEPHONE COOPERATIVE, INC. TO
WEST KENTUCKY RURAL TELEPHONE COOPERATIVE CORPORATION, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 14-190

Comments Due: November 17, 2014

Reply Comments Due: November 24, 2014

On October 22, 2014, Ben Lomand Rural Telephone Cooperative, Inc. (Ben Lomand) and West Kentucky Rural Telephone Cooperative Corporation, Inc. (WK&T) (collectively Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Synergy Technology Partners, Inc. (Synergy) from Ben Lomand to WK&T.¹

Synergy, a Tennessee corporation, is currently owned equally by WK&T and Ben Lomand.² Ardmore Telephone Company, Inc. (Ardmore), a subsidiary of Synergy and an incumbent local exchange carrier (LEC), provides local exchange, exchange access service, long distance service and Internet service in Giles and Lincoln counties in south central Tennessee and Limestone and Madison counties in north central Alabama. Synergy does not provide telecommunications services. WK&T, an incumbent LEC, provides local exchange telephone service and exchange access service to approximately 16,000 access lines in northwest Tennessee and west Kentucky. Ben Lomand, an incumbent LEC, provides local exchange telephone service and exchange access service to approximately 32,000 incumbent local exchange access lines in central Tennessee. Through its wholly owned subsidiaries, Ben Lomand Communications, LLC and Volunteer First Services, LLC, Ben Lomand also provides competitive LEC services in Tennessee. Applicants state that WK&T, Ben Lomand and their affiliates have no overlapping or adjacent service areas.

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their application on October 31, 2014.

² Currently, Ben Lomand owns fifty percent of the stock of Synergy and WK&T owns the other fifty percent with Synergy being controlled by WK&T's Board of Directors.

Pursuant to a stock purchase agreement executed between Ben Lomand and WK&T, WK&T will acquire the 50 percent stock ownership of Ben Lomand, thereby becoming the sole shareholder of Synergy and the indirect holder of Ardmore. Ardmore will remain a wholly-owned subsidiary of Synergy and will continue to operate under its Section 214 authority. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of Synergy Technology Partners, Inc. from Ben Lomand Rural Telephone Cooperative, Inc. to West Kentucky Rural Telephone Cooperative Corporation, Inc., WC Docket No. 14-190 (filed Oct. 22, 2014).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before November 17, 2014**, and reply comments **on or before November 24, 2014**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva Freeman, Competition Policy Division, Wireline Competition Bureau, myrva.freeman@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all

³ 47 C.F.R. § 63.03(b)(2)(ii).

persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Myrva Freeman at (202) 418-1506 or Dennis Johnson at (202) 418-0809.

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